

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

FULL SPECTRUM IH, LLC ,

NO. 1:20-CV-00673-DAD-JLT

Plaintiff(s),

STANDING ORDER

v.

DCM INC. , ET AL. ,

Defendant(s).

1. LAW AND MOTION

A. Calendar

The civil law and motion calendar for Judge Drozd is held on the first and third Tuesday of every month commencing at 9:30 a.m. in Courtroom 5, located on the seventh floor. It is not necessary to clear a date prior to scheduling a civil law and motion matter for hearing. All motions shall be noticed for hearing. The parties may indicate in their papers if they wish to submit any motion for decision without oral argument. The court may elect to submit any motion for decision without oral argument and will so advise the parties by minute order in advance of any noticed hearing date. The parties are required to comply with Local Rule 230, or other applicable rules and notice requirements with respect to motions. Finally, telephonic appearances before Judge Drozd are encouraged and parties may do so by dialing 877-402-9757 (access code 6966236) at the time of the hearing. Because the court may be hearing other matters using the

same conference line, please wait to state your appearance until your case has been called and  
appearances are requested. Keep all background noise to a minimum. At least 48 hours prior to  
the hearing you must email Courtroom Deputy Jami Thorp, at jthorp@caed.uscourts.gov,  
to advise the court you will be appearing telephonically.

5       B. Briefing

6           Unless prior leave of Court is obtained, all moving and opposition briefs or legal  
7 memorandum in civil cases shall not exceed 25 pages. Reply briefs filed by moving parties shall not  
8 exceed 15 pages. Only for good cause shown will the court grant an application to extend these page  
9 limitations. Briefs that exceed the page limitations or are sought to be filed without leave of court may  
10 not be considered. Finally, no supplemental briefs shall be filed without prior leave of court<sup>1</sup>

11       C. Meet and Confer Requirement

12           Prior to filing a motion in a case in which the parties are represented by counsel, counsel  
13 shall engage in a pre-filing meet and confer to discuss thoroughly the substance of the  
14 contemplated motion and any potential resolution. Counsel should resolve minor procedural or  
15 other non-substantive matters during the meet and confer process so that briefing on motions that  
16 proceed to hearing is directed only to those substantive issues requiring resolution by the court. A  
17 **notice of motion shall contain a certification by counsel filing the motion that meet and**  
18 **confer efforts have been exhausted, with a very brief summary of meet and confer efforts.**

19       2. ELECTRONIC FILING

20           The United States District Court for the Eastern District of California requires electronic  
21 filing of documents in all new and pending civil cases in which parties are represented by  
22 counsel. A party proceeding without counsel may request authorization to file electronically.  
23 Information about the court's Electronic Case Filing system ("ECF") is available on the court's  
24 website at www.caed.uscourts.gov/cmecf. *See also* Local Rule 133.

25           All manually filed documents (those documents excused from the electronic filing  
26 requirements by the Local Rules) shall be served as otherwise required by the Federal Rules of  
27 Civil Procedure or Local Rule 133.

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28       <sup>2</sup> Font must be in Times New Roman and no less than 12. Footnotes shall be in typeface no more  
than one size smaller than text size.

2 Counsel are ordered to deliver to the Clerk's Office clearly marked courtesy copies of all  
3 electronically filed documents that exceed twenty-five (25) pages, and conformed courtesy copies  
4 of all manually filed documents, by either personally delivering them or sending them by  
5 guaranteed overnight delivery. *See* Local Rule 133(f). The parties need not provide courtesy  
6 copies of answers or shorter pleadings. If a courtesy copy is sent by guaranteed overnight delivery,  
7 the sender shall notify the delivery service that the signature of the recipient is not required.

8 4. PROPOSED ORDERS

9 Judge Drozd does not require the parties to submit proposed orders with motions to dismiss or  
10 motions for summary judgment, but does require the parties to provide proposed consent decrees and  
11 proposed findings of fact. If the court does direct the filing of a proposed order, the party should submit  
12 it as required by Local Rule 137(b) and email it in Microsoft Word to dadorders@caed.uscourts.gov.

13 5. EX PARTE APPLICATIONS

14 Ex parte applications typically are not heard, but are submitted by the court unless otherwise  
15 notified. The filer is required to contact the courtroom deputy and the opposing party prior to the  
16 filing of the ex parte application in order to advise that such request is being made. In addition,  
17 the document(s) must indicate whether or not an opposition will be filed. The filer shall include  
18 an affidavit indicating a satisfactory explanation for the following: (1) the need for the issuance  
19 of such an order, (2) the inability of the filer to obtain a stipulation for the issuance of such an  
20 order from other counsel or parties in the action, and (3) why such request cannot be noticed on  
21 the court's motion calendar as provided by Local Rule 230.

22 6. TROs AND INJUNCTIONS

23 Parties seeking emergency or provisional relief shall comply with Federal Rule of Civil  
24 Procedure 65 and Local Rule 230. The court typically will not rule on any application for such  
25 relief for at least twenty-four (24) hours after the party subject to the requested order has been  
26 served; such party may file opposing or responding papers in the interim. The parties shall lodge  
27 a courtesy copy with chambers of all papers relating to proposed TROs and injunctions,  
28 conformed to reflect that they have been filed.

7. SEALING AND PROTECTIVE ORDERS

2 No document will be sealed, nor shall a redacted document be filed, without the prior  
3 approval of the court. If a document for which sealing or redaction is sought relates to the record  
4 on a motion to be decided by Judge Drozd, the request to seal or redact should be directed to him  
5 and not the assigned Magistrate Judge. All requests to seal or redact shall be governed by Local  
6 Rules 141 (sealing) and 140 (redaction); protective orders covering the discovery phase shall not  
7 govern the filing of sealed or redacted documents on the public docket. The court will only  
8 consider requests to seal or redact filed by the proponent of sealing or redaction. If a party plans  
9 to make a filing that includes material an opposing party has identified as confidential and  
10 potentially subject to sealing, the filing party shall provide the opposing party with sufficient  
11 notice in advance of filing to allow for the seeking of an order of sealing or redaction from the court.

12 8. FINAL PRETRIAL CONFERENCES

13 In those cases in which Judge Drozd is conducting the Final Pretrial Conference, the parties  
14 are required to submit a Joint Pretrial statement. That Joint Pretrial statement must be filed seven  
15 days before the Final Pretrial Conference hearing date and be e-mailed as a Word document to:  
16 dadorders@caed.uscourts.gov.

17 9. NOTICE OF THIS ORDER

18 Counsel for plaintiff shall immediately serve this order on all parties, including any new  
19 parties added to the action in the future, unless this case came to the court by noticed removal, in  
20 which case defendant shall serve this order on all other parties.

21 DATED: May 13, 2020

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24 DALE A. DROZD  
25 U.S. DISTRICT COURT JUDGE  
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